Entered on Docket
September 30, 2009
GLORIA L. FRANKLIN, CLERK
U.S BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA Polk, Prober & Raphael, 1 A Law Corporation The following constitutes Dean Prober, Esquire, #106207 the order of the court. Signed September 30, 2009 2 Lee S. Raphael, Esquire, #180030 Cassandra J. Richey, Esquire #155721 3 P.O. Box 4365 4 Woodland Hills, CA 91365-4365 Roger L. Efremsky (818) 227-0100 U.S. Bankruptcy Judge 5 Attorneys for Secured Creditor U.S. Bank, National Association, as successor 6 Trustee to Bank of America, N.A., as successor by merger to LaSalle Bank National Association as Trustee for 8 Merrill Lynch First Franklin Mortgage Loan Trust, Mortgage Loan Asset-9 Backed Certificates, Series 2007-4 H.074-558 10 11 12 UNITED STATES BANKRUPTCY COURT 13 NORTHERN DISTRICT OF CALIFORNIA 14 In re Bk. No. 09-54787 15 MITCHELL SCOTT ZUCKER AND JACQULIN ELAINE ZUCKER, CHAPTER 11 16 Debtors. R.S. No. DRP - 532 17 ORDER FOR RELIEF FROM 18 **AUTOMATIC STAY** 19 Hearing-20 Date: September 16, 2009 Time: 10:30 a.m. 21 Place: U.S. Bankruptcy Court 280 South First Street 22 San Jose, California 23 Courtroom 3099 24 25 The Motion for Relief from Automatic Stay of U.S. Bank, National Association, 26 as successor Trustee to Bank of America, N.A., as successor by merger to LaSalle Bank 27

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National Association as Trustee for Merrill Lynch First Franklin Mortgage Loan Trust,

Mortgage Loan Asset-Backed Certificates, Series 2007-4, its assignees and/or successors in interest, came on for hearing on September 16, 2009 at 10:30 a.m., before the Honorable Roger L. Efremsky. Appearances are as set forth in the Court's docket.

The Court after reviewing the pleadings and records, and after determining that GOOD CAUSE exists, makes the following Order:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled Bankruptcy proceeding is hereby terminated and extinguished as to U.S. Bank, National Association, as successor Trustee to Bank of America, N.A., as successor by merger to LaSalle Bank National Association as Trustee for Merrill Lynch First Franklin Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2007-4, its assignees and/or successors in interest ("Secured Creditor" herein), and Secured Creditor, its assignees and/or successors in interest may proceed with foreclosure of the subject Property generally described as 5401 East Van Buren Street Unit 11-1080, Phoenix, Arizona pursuant to applicable statutory law, and thereafter commence any action necessary to obtain complete possession thereof.

IT IS FURTHER ORDERED that the 10-day stay provided by Bankruptcy Rule 4001(a)(3) is waived.

\*\* END OF ORDER\*\*

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## **COURT SERVICE LIST** 1 2 Mitchell Scott Zucker Jacqulin Elaine Zucker 3 4196 Monet Cr. 4 San Jose, CA 95136 Debtors 5 Charles B. Greene, Esquire 6 Law Offices of Charles B. Greene 7 84 West Santa Clara Street, Suite 770 San Jose, CA 95113 8 Attorney for Debtors 9 U.S. Trustee U.S. Federal Building 10 280 South First Street #268 11 San Jose, CA 95113-3004 12 Polk, Prober & Raphael, A Law Corporation 20750 Ventura Boulevard, Suite 100 13 Woodland Hills, California 91364 14 15 16 17 18 19 20 21 22 23 24 25 26 27

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